

Appl. No. : **10/791,688**
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AMENDMENTS TO THE CLAIMS

1. (Original) A fence system, comprising:
a mounting surface; and
a plurality of individual members attached to the mounting surface and aligned in a manner so as to form a barrier, wherein at least one individual member comprises fiber cement, the at least one individual member being made into a desired shape for use in a fence prior to curing of said fiber cement, whereby the at least one individual member does not exhibit any substantial fraying of the fibers along surfaces of the at least one individual member after curing.
2. (Original) The fence system of Claim 1, wherein the at least one individual member has at least one surface that has a pre-finish thereon.
3. (Original) The fence system of Claim 1, wherein the at least one individual member resembles a picket.
4. (Original) The fence system of Claim 4, wherein the at least one individual member resembles a wooden picket.
5. (Original) The fence system of Claim 3, wherein the at least one individual member has a first end, said first end being formed into a shape selected from the group consisting of square cut, dog-eared, French gothic, scalloped, pointed and saw-toothed.
6. (Original) The fence system of Claim 1, wherein the at least one individual member has a first surface, wherein the first surface has a finish that resembles wood.
7. (Original) The fence system of Claim 1, wherein the at least one individual member has a first surface, wherein the first surface has a finish that resembles masonry.
8. (Original) The fence of Claim 2, wherein the at least one surface comprises two opposing sides of the individual member.
9. (Original) The fence system of Claim 1, wherein the fiber cement forming the at least one individual member incorporates a low-density additive.
10. (Original) The fence system of Claim 10, wherein the low-density additive comprises microspheres.
11. (Original) The fence system of Claim 10, wherein the low-density additive comprises volcanic ash.

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12. (Original) The fence system of Claim 1, wherein the fiber cement forming the at least one individual member comprises moisture resistant cellulose fibers.

13. (Original) The fence system of Claim 1, wherein the mounting surface has a longitudinal axis, and the at least one individual member is positioned in a manner such that a longitudinal axis of the individual member is substantially perpendicular to the longitudinal axis of the mounting surface.

14. (Original) The fence system of Claim 1, wherein the mounting surface comprises a rail.

15. (Original) A fence system, comprising:
a mounting surface; and
a plurality of individual members attached to the mounting surface and aligned in a manner so as to form a barrier, wherein at least one individual member comprises fiber cement, the at least one individual member being made into a desired shape for use in a fence prior to curing of said fiber cement, whereby the at least one individual member comprises a plurality of fiber cement layers and does not show any substantial visible separation of the layers.

16. (Original) The fence system of Claim 15, wherein the at least one individual member includes at least one surface that has a pre-finish thereon.

17. (Original) The fence system of Claim 16, wherein the at least one individual member resembles a picket.

18. (Original) The fence system of Claim 15, wherein the at least one individual member has at least one surface that is embossed with a pattern.

19. (Original) The fence system of Claim 17, wherein the at least one individual member has a first end, said the first end being formed into a shape selected from the group consisting of square cut, dog-eared, French gothic, scalloped, pointed, and saw-toothed.

Claims 20-24 Cancelled

25. (Original) A picket for a fence, wherein the picket is made of a fiber cement material, the fiber cement being made into a desired shape for use as said picket prior to curing of said fiber cement, whereby the picket does not exhibit any substantial fraying of the fibers along surfaces after curing.

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26. (Original) The picket of Claim 25, wherein at least one exterior surface of the picket has a pre-finish thereon.

27. (Original) The picket of Claim 26, wherein the at least one exterior surface of the picket is painted to resemble the color of wood.

28. (Original) The picket of Claim 26, wherein the at least one exterior surface of the picket comprises two opposing sides of the picket.

29. (Original) The picket of Claim 25, wherein at least one exterior surface of the picket is stained.

30. (Original) The picket of Claim 25, wherein at least one exterior surface of the picket is textured.

31. (Original) The picket of Claim 30, wherein the at least one exterior surface of the picket is textured to resemble wood.

32. (Original) The picket of Claim 25 having a surface finish that resembles masonry.

33. (Original) The picket of Claim 25, wherein the picket can be nailed onto a fence rail.

34. (Original) A fence system, comprising:
a plurality of pickets each having an elongate configuration extending between an upper end and a lower end, each picket being made of fiber cement and formed into a desired shape, sized and configured for use in a fence prior to curing of said fiber cement, said plurality of pickets being installed generally perpendicular to a ground surface and in substantially parallel relationship to one another.

35. (Original) The fence system of Claim 34, wherein the pickets after curing do not exhibit any substantial fraying of the fibers along surfaces of the pickets.

36. (Original) The fence system of Claim 34, wherein each picket is formed of a plurality of layers, said pickets do not exhibit any substantial visible separation of layers.

37. (Original) The fence system of Claim 34, wherein each of said pickets has an aspect ratio of between 4 and 12.

38. (Original) The fence system of Claim 34, wherein each of said pickets is spaced from one another by a distance of between about ½ and 1 inch.

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39. (Original) The fence system of Claim 34, wherein each of said pickets has a length between about 2 and 10 feet.

40. (Original) The fence system of Claim 34, wherein each of said pickets has a width between about 4 and 12 inches.

41. (Original) The fence system of Claim 34, wherein each of said pickets has a thickness of between about 5/16 and ¾ inch.

42. (Original) The fence system of Claim 34, wherein each of said pickets has a pre-finish thereon.

43. (Original) The fence system of Claim 34, comprising a pair of mounting rails each extending substantially perpendicular to the pickets.

44. (Original) The fence system of Claim 43, wherein a first mounting rail is secured to the pickets at an upper location of the pickets, and a second mounting rail is secured to the pickets along a lower location of the pickets.

45. (Original) The fence system of Claim 44, comprising at least two posts, each of said posts having an elongate configuration extending between an upper end and a lower end and being substantially parallel to the pickets, said posts being secured to the mounting rails, wherein the lower ends of the posts extend below the lower ends of the pickets to secure the posts in a ground location.

Claims 46-67 Cancelled

68. (Original) An elongate member made of fiber cement, wherein the elongate member in its uncured state is sized and configured for use as a picket for a fence.

69. (Original) The elongate member of Claim 68 having a first end, said first end has a dog-eared shape, which is formed in the elongate member in its uncured state.

70. (Original) The elongate member of Claim 68 having a pre-finish on at least one surface.

71. (Original) The elongate member of Claim 68 having a length of between 6 and 8 feet.

72. (Original) A fence picket, comprising an elongate member made of fiber cement sized and configured for use as a fence picket, said elongate member having a length defined

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between an upper end and a lower end, a first surface and a second surface, and substantially parallel sides adjoining said first surface and second surface, wherein at least one of said surfaces has a pre-finish thereon.

73. (Original) The fence picket of Claim 72, wherein the length of said fence picket is between about 2 and 10 feet.

74. (Original) The fence picket of Claim 72, wherein the width of said fence picket is between about 4 and 12 inches.

75. (Original) The fence picket of Claim 72, wherein the upper end is shaped with a design selected from the group consisting of square cut, dog-eared, French gothic, scalloped, pointed, and saw-toothed.

76. (Original) The fence picket of Claim 72, wherein the first surface is provided with a pattern

77. (Original) The fence picket of Claim 72, wherein said pattern resembles wood.

78. (Original) The fence picket of Claim 72, wherein said pattern is substantially smooth.